



## Latest release

Division

# 09 Drug offences

## Australian and New Zealand Standard Offence Classification (ANZSOC)

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### Description

Drug offences include the unlawful trafficking, distributing, dealing, manufacturing, or cultivating of prohibited, prescription, or restricted drugs. This may include pharmaceutical drugs such as cannabis, opiates, amphetamines, hallucinogens, benzodiazepines, and steroids.

Regulatory offences related to alcohol, tobacco, kava or nicotine are excluded from this division.

The legality of drugs may vary between jurisdictions. The delineation between commercial and non-commercial quantities may vary over time and by jurisdiction.

This division does not include regulatory offences relating to the creation and management of drugs by workers in the healthcare industry, offences relating to drugs that are neither prohibited nor require a prescription to access, or regulation of products that can be used as inhalants, such as petrol or nitrous oxide.

Subdivision

## 091 International drug trafficking

### Description

Offences in this subdivision relate to the international import or export of illicit drugs, or unlawful international import or export of prescription drugs.

Where import and export cannot be disaggregated, offences should be coded to 0910 International drug trafficking, not further defined.

### 0911 Illegal import of drugs

Import includes the actions resulting or intended to result in the importation of drugs into Australia or New Zealand where the amount involved is of a quantity sufficient for commercial activity.

#### Inclusions:

- Conspiracy to import drugs
- Drug couriers involved in illegal import of drugs
- Trafficking of controlled drugs into Australia or New Zealand, including prescription drugs
- Unlawfully transport drugs into Australia or New Zealand
- Other offences relating to the illegal import of drugs

#### Exclusions:

- Transport of drugs within Australia or New Zealand – coded to the relevant groups within 092 Distribute or deal drugs
- Unlawful distribution of controlled drugs within Australia or New Zealand – coded to the relevant groups within 092 Distribute or deal drugs
- Unlawful import of alcohol or tobacco – coded to 1711 Import and export offences

### 0912 Illegal export of drugs

Export includes actions resulting or intended to result in the illegal exportation of drugs from Australia or New Zealand where the amount involved is of a quantity sufficient for commercial activity.

#### Inclusions:

- Conspiracy to export drugs
- Drug couriers involved in exporting drugs
- Trafficking of controlled drugs out of Australia or New Zealand
- Unlawful transport of drugs out of Australia or New Zealand

- Other offences relating to the illegal export of drugs.

**Exclusions:**

- Transport drugs within Australia or New Zealand – coded to the relevant groups within 092 Distribute or deal drugs
- Unlawful distribution of controlled drugs within Australia or New Zealand – coded to the relevant groups within 092 Distribute or deal drugs
- Unlawful export of alcohol or tobacco – coded to 1711 Import and export offences

**Subdivision**

## 092 Distribute or deal drugs

**Description**

Distribution or dealing includes the unlawful supply or purchase of an illicit or prescription drug.

In most cases, prescription drugs will relate to "Schedule 8" drugs in Australia and "Class B" or "Class C" drugs in New Zealand, such as cannabis, amphetamine-based medication, and opioid-based pain medication. Regulatory offences relating to non-prescription drugs, herbal remedies, or retail products with psychoactive effects (such as petrol or butane) are excluded from this subdivision.

Where it is not possible to disaggregate offences by commercial and non-commercial quantities, offences should be coded to 0920 Distribute or deal drugs, not further defined.

### 0921 Distribute or deal drugs – commercial quantity

This group include offences relating to the supply or purchase of a drug, where the amount involved is deemed to be of a quantity sufficient for commercial activity.

**Inclusions:**

- Conspiracy to distribute or deal drugs in a commercial quantity
- Unlawful distribution or dealing of drugs within Australia or New Zealand, in commercial quantities

**Exclusions:**

- International trafficking of drugs – coded to the relevant groups within 091 International drug trafficking
- Regulatory offences relating to sale of products that can be used as inhalants, such as aerosol spray, petrol, glue, or butane – coded to 1234 Hazardous substances offences
- Sale of "snake oil" products or "fake cures" that don't include illicit substances – coded to 0821 Fraudulent trade practices
- Unlawful sale or purchase of alcohol– coded to 1232 Alcohol offences
- Unlawful sale or purchase of tobacco – coded to 1233 Tobacco, nicotine, or related offences

### 0922 Distribute or deal drugs – non-commercial quantity

This group include offences relating to the unlawful supply or purchase of an illicit or prescription drug, where the amount involved is not of a quantity for commercial use.

**Inclusions:**

- Give, sell, or accept prescription drugs prescribed to someone else
- Sell or share drugs purchased for private use
- Other distribution or dealing of drugs in non-commercial quantities

**Exclusions:**

- Possession or use of drugs – coded to the relevant group in 094 Unlawful possession or use of drugs
- Use of forgery or deception to obtain prescription drugs – coded to 0819 Obtain benefit by deception, nec
- Unlawful sale or purchase of alcohol – coded to 1232 Alcohol offences
- Unlawful sale or purchase of tobacco – coded to 1233 Tobacco, nicotine, or related offences

**Subdivision**

## 093 Manufacture or cultivate drugs

**Description**

Manufacture includes any acts resulting or intended to result in the manufacture of an illegal or prescribed drug. Cultivation includes the act of sowing, planting, growing, tending, nurturing, or harvesting a narcotic plant.

Where it is not possible to disaggregate offences by commercial and non-commercial quantities, offences should be coded to 0930 Manufacture or cultivate drugs, not further defined.

## **0931 Manufacture or cultivate drugs – commercial quantity**

This group includes offences relating to the manufacture or cultivation of drugs, where the amount involved is deemed to be of a quantity sufficient for commercial activity.

### **Inclusions:**

- Conspiracy to manufacture or cultivate drugs for commercial use
- Cultivate controlled plants (other than tobacco) in commercial quantities
- Possess drug precursors with intent to manufacture drugs for commercial use
- Possess equipment with intent to manufacture drugs for commercial use
- Other offences relating to the commercial manufacture or cultivation of drugs

### **Exclusions:**

- Possession or use of drugs – coded to the relevant groups in 094 Unlawful possession or use of drugs
- Regulatory offences relating to legal manufacture of drugs – coded to 1235 Pharmaceutical offences
- Unlawful cultivation of tobacco – coded to 1233 Tobacco, nicotine, or related offences

## **0932 Manufacture or cultivate drugs – non-commercial quantity**

This group includes offences relating to the manufacture or cultivation of drugs, where the amount involved is deemed to be of a quantity for personal use rather than commercial activity.

### **Inclusions:**

- Cultivate controlled plants (other than tobacco) for personal use
- Possess drug precursors with intent to manufacture drugs for personal use
- Possess equipment with intent to manufacture drugs for personal use
- Other offences relating to the manufacture or cultivation of drugs in non-commercial quantities

### **Exclusions:**

- Possession or use of drugs – coded to the relevant groups in 094 Unlawful possession or use of drugs
- Unlawful cultivation of tobacco – coded to 1233 Tobacco, nicotine, or related offences

### **Subdivision**

## **094 Unlawful possession or use of drugs**

### **Description**

This subdivision includes offences relating to the unlawful possession or use of a non-commercial quantity of a drug.

Where it is not possible to disaggregate offences by possession or use of drugs, offences should be coded to 0940 Unlawful possession or use of drugs, not further defined.

## **0941 Unlawful possession of drugs**

Possession offences relate to non-commercial quantities of a drug or related utensils.

### **Inclusions:**

- Carrying illicit drugs for personal use
- Ownership of illicit drugs for personal use
- Possess pipes, syringes, or other items associated with the use of drugs
- Other offences relating to the unlawful possession of drugs

### **Exclusions:**

- Mismanagement of prescription drugs – coded to 1235 Pharmaceutical offences
- Possess a drug in a quantity for commercial use – coded to 0921 Distribute or deal drugs – commercial quantity
- Prescription drug fraud – coded to 0819 Obtain benefit by deception, nec

## **0942 Unlawful use of drugs**

This group includes offences relating to unlawful use of an illicit or prescribed drug.

### **Inclusions:**

- Unlawfully self-administer a medicine
- Use an illicit drug

- Other offences relating to unlawful use of drugs

**Exclusions:**

- Administer a drug to another person – coded to 0491 Drug or poison a person
- Drive while under the influence of drugs – coded to 1312 Drug-driving
- Enable under-age drinking – coded to 1232 Alcohol offences
- Medical negligence – coded to 0492 Neglect or ill-treatment of person under care
- Mismanagement of prescription drugs – coded to 1235 Pharmaceutical offences
- Prescription drug fraud – coded to 0819 Obtain benefit by deception, nec
- Sell cigarettes or vapes to children – coded to 1233 Tobacco, nicotine, or related offences

**Subdivision**

## **099 Other drug offences**

### **0999 Drug offences, nec**

This group includes other drug offences not elsewhere classified.

**Inclusions:**

- Permit premises to be unlawfully used to administer, sell, or distribute drugs
- Unlawfully display, or allow the display of, drug paraphernalia for sale in a retail outlet
- Other drug-related offences not elsewhere classified

**Exclusions:**

- Drink spiking – coded to 0491 Drug or poison a person
- Driving while under the influence of alcohol or other drugs – coded to the relevant groups within 131 Drink or drug driving
- Fail to keep register for drugs of addiction – coded to 1235 Pharmaceutical offences
- Possess money from the sale of drugs – coded to 0740 Receive or handle proceeds of crime
- Unsafe disposal, handling, or storage of pharmaceuticals – coded to 1235 Pharmaceutical offences